

RESPONSE AND REMARKS

This is in response to the Office Actions dated April 5, 2004 and December 14, 2004 regarding the above-identified application. In view of the rejection in the Office Action dated December 14, 2004 of the Claim amendments submitted in the Amendment and Response dated September 4, 2004, the Amendments to the Claims above are respectfully submitted with the understanding that the amendments, including the new claims, submitted with the Amendment and Response dated September 4, 2004 were not entered. Therefore, the Amendments to the Claims above are respectfully submitted as amendments to original Claims 7, and 10-14; Claims 23-26 are submitted as new claims.

Amendments to original Claims 7, and 10 through 14 are filed concurrently herewith to more distinctly claim the invention. New Claims 23 - 26 are also filed herewith. Entry of the amendments and the new claims, and reconsideration of the application, as amended, are respectfully requested.

With respect to the Examiner's rejection in the December 14 2004 Office Action of the previously submitted Claim amendments, it is respectfully submitted that the amendments to original Claims 7, and 10 through 14 concurrently filed herewith are consistent with the invention claimed by original Claims 7, and 10 through 14.

In the Office Action dated April 5, 2004, the Examiner formally confirmed a restriction requirement, construing Claims 1-6, 8, 9, and 15-22 as Group I, and Claims 7 and 10-14 as Group II.

Pursuant to the formal restriction requirement dated April 5, 2004 and in accordance with 35 U.S.C. 121 and 37 C.F.R. § 1.142, in the Response dated September 4, 2004, Applicant formally confirmed election for further examination the invention construed by the Examiner as Group II described by the Examiner as Claims 7, and Claims 10-14; Claims 1-6, 8, 9, and 15-22 corresponding to non-elected Group I, were withdrawn from examination without prejudice to Applicant's filing in accordance with 35 U.S.C. §§ 120 and 121 and 37 C.F.R. § 1.142, during the pendency of the present Application, a divisional application

Application Serial No. 09/820,377
Office Actions Dated 04/05/2004 and 12/14/2004

directed to non-elected Group I construed by the Examiner as Claims 1-6, 8, 9, and 15-22.

SPECIFICATION

In the April 5 2004 Office action, the Examiner objected to use of various trademarks as used in the specification and indicated that the trademarks should be capitalized wherever they appear. Responsive to the Examiner's objections to the use of trademarks, the specification, as amended, identifies trademarks used in the specification, references the proprietary nature of those trademarks through the use of the "TM" symbol, and equates the TM-designated trademark with both an all-capitalized version of the trademark and with alternative ways in which the trademarks appear in the specification.

SECTION 112

In the April 5 2004 Office Action, the Examiner rejected Claims 7, 11, 13, and 14 as being indefinite under 35 U.S.C. §112 on several grounds. Amendments to the rejected claims more distinctly claim the invention; it is respectfully submitted that the amendments resolve the Examiner's objections.

SECTION 102

In the April 5 Office Action, the Examiner rejected Claim 7 under 35 U.S.C. §102(e) as being anticipated by Brandien et al. (U.S. Patent No. 6,134,561; "Brandien"). In rejecting Claim 7, the Examiner stated that "Brandien discloses the use of a shipping management system usable within a company that generates a barcode tracking label . . ." (citing the abstract of *Brandien* and *Brandien*, Col. 4, lines 1-7).

Brandien discloses a "system for tracking the receipt and internal delivery of items such as packages." Brandien, Title.

As distinguished from a system, such as disclosed in Brandien, for tracking the *receipt and internal delivery* of a package within an organization, the claims of the present application, as amended, are directed to a *shipping*

management computer system. Further, as distinguished from a system that merely provides for a single user to request shipping of a parcel, independent Claim 7 of the present application, as amended, is directed to a shipping management computer system that is programmed to ". . . in response to a request by a *first user* within an enterprise to ship a parcel, generate a printable bar-coded pre-processing traveler label, . . . wherein the printable bar-coded pre-processing traveler label contains partial shipment information; and delegate finalizing a shipping label for shipping the parcel, to a *second user* within the enterprise, wherein the second user is designated in the memory accessible by the computer system as authorized to finalize shipping labels."

It is respectfully submitted that Brandien does not disclose, anticipate or suggest a shipping management computer system, such as claimed by Claim 7 of the present application, that is programmed to respond to a request by a first user to ship a parcel by generating a printable bar-coded pre-processing traveler label, and delegating finalizing a shipping label for shipping the parcel, to a *second user* within the enterprise. Accordingly, it is respectfully submitted that independent Claim 7 of the present application, as amended, is patentably distinct from Brandien.

Claim 10 of the present application is directed to a shipping management computer system programmed to ". . . according to a first set of instructions input by an administrator of an enterprise, designate in a memory accessible by the computer system, a first shipping privilege setting identifying a first user within the enterprise as restricted from printing shipping labels but authorized to submit pre-processing shipping requests; and according to a second set of instructions input by the administrator, designate in the memory, a second shipping privilege setting identifying a second user within the enterprise as authorized to print shipping labels."

It is respectfully submitted that Brandien does not disclose, anticipate or suggest a shipping management computer system, such as claimed by Claim 10 of the present application, that is programmed to designate in a memory, a first shipping privilege setting identifying a *first user* within the enterprise as restricted

from printing shipping labels *but authorized to submit pre-processing shipping requests* and designating in the memory, a second shipping privilege setting identifying a *second user* within the enterprise as *authorized to print shipping labels*.

SECTION 103

In the Office Action, the Examiner rejected Claims 10-14 under 35 U.S.C. §103(a) as being unpatentable over *Brandien* in view of Rabne et al. (U.S. Patent No. 6,006,332; "*Rabne*").

In rejecting these claims, the Examiner stated that: "Brandien . . . teaches the use of an internal shipping system . . ." *Office Action*, page 5, topic number 18. The Examiner conceded that *Brandien* "fails to disclose restricting users within the enterprise from printing shipping labels . . ." but concluded that "Rabne . . . discloses a rights management system for digital media that allows an administrator to set rights for a user to restrict printing certain items." *Office Action*, page 5, topic number 18 (citing *Rabne*, Col. 21, lines 8-33).

As distinguished from *Brandien*, whether considered alone or in combination with *Rabne*, or with any other reference of record, independent Claim 10, as amended, is directed to a shipping management computer system that is programmed to ". . . designate . . . a first shipping privilege setting identifying a *first user* within the enterprise as restricted from printing shipping labels *but authorized to submit pre-processing shipping requests*; and . . . designate in the memory, a second shipping privilege setting identifying a *second user* within the enterprise as authorized to *print shipping labels*."

That is, as compared to the Examiner's reading of *Rabne* "set[ting] rights for a user to restrict printing certain items", independent Claim 10, as amended, is directed to a shipping management computer system that is programmed to designate a first shipping privilege setting identifying a *first user* within the enterprise as restricted from printing shipping labels *but authorized to submit pre-processing shipping requests* and designate a second shipping privilege setting

identifying a *second user* within the enterprise as *authorized to print shipping labels.*

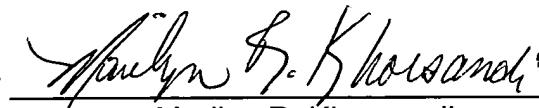
It is respectfully submitted that none of the cited references, alone or in combination, disclose or suggest designating a first shipping privilege setting identifying a *first user* within the enterprise as restricted from printing shipping labels *but authorized to submit pre-processing shipping requests* and designating a second shipping privilege setting identifying a *second user* within the enterprise as *authorized to print shipping labels..* Accordingly, it is respectfully submitted that neither Brandien nor Rabne, whether considered alone or in combination with any other reference of record, disclose, anticipate, or suggest the subject matter of Claim 10, as amended, of the present application.

For the foregoing reasons and authorities, because independent Claims 7 and 10 are patentable over the cited references, Applicant respectfully submits that new dependent Claims 23 - 26, and dependent Claims 11-14, as amended, are therefore also patentable over the cited references.

In view of the foregoing amendments, and for the foregoing reasons and authorities, Applicant respectfully submits that the invention disclosed and claimed in the present amended application is not fairly taught by any of the references of record, taken either alone or in combination, and that the application is in condition for allowance. Accordingly, Applicant respectfully requests reconsideration and allowance of the amended application.

Respectfully submitted,

KHORSANDI PATENT LAW GROUP, ALC

By 

Marilyn R. Khorsandi
Reg. No. 45,744
626/796-2856